

Early courts of Minnesota /

77

EARLY COURTS OF MINNESOTA. BY HON AARON GOODRICH.

Hon. C. K. Smith , Sec. &c.

Sir : I have the honor to acknowledge the receipt of your letter of the 25th of December, 1850, requesting of me something statistical for this Society. Previous to a compliance with this request, permit me to congratulate you upon the prosperous condition of this Institution, much of which is the result of your untiring energy in faithfully *chronicling* passing events.

You have left but little for the to say. Minnesota is not regarded by the world as classic ground. I know of no spot here, which has been rendered immortal, either by song or story. We have not the fields of Marathon, Pharsalia, or Actium, nor yet the valley of Idumea within our borders. None of these, save those to which the Red man points us as the "Golgotha" of his fathers. We now daily behold, and within but a short distance of our dwellings, the smoke of the Indian wigwam, curling upward amid nature's forest trees, from the place where it arose at a period of antiquity beyond which Indian tradition "runneth not to the contrary." On *this very spot* , which has been for centuries, and almost to the present hour

"Alike their birth and burial place, Their cradle and their grave;"

—our ears are greeted by the "sound of the church going bell," while the spires of our churches are glittering in the beams of the morning sun.

78

Library of Congress

If we have not the tattered banner, borne at the head of victorious legions in deadly conflict in the wars of freedom; if we have not the sabre, the battle axe, the triumphant eagle, or the “dyed garments of Bozrah” to deposite in the archives of this Society, as mutely eloquent remembrances to call up associations of devoted heroes and gallant patriots;

“Names that adorn and dignify the scroll, Whose leaves contain their country's history.”

—yet we have something to write that will be interesting to the generations that are to come after us. It will be pleasing to them to trace the history of a powerful State, back to its present Territorial existence; with pride will they point to the record of our time, and say, these are the names of our ancestors; this is no “Delphic” oracle; this is not a doubtful translation of the inscriptions upon the Pyramids upon the plains of Gish, or the Statues of Nineveh—'tis *history* .

On the 19th of March, 1849, President Taylor appointed the following named persons Judges of the Supreme Court for this Territory, to wit:

Aaron Goodrich , of Tennessee, Chief Justice.

Associate Justices.

David Cooper, of Pa.

Bradley B. Meeker, Ky.

Responsive to the call of the President, the undersigned bid adieu to Tennessee, and embarked for St. Paul, at which place he arrived on board the steamer Corah, Capt. Gormand, on Sunday, the 20th day of May, 1849.

Library of Congress

On the Sunday following, his Excellency, Governor Alex. Ramsey , reached St. Paul, and on the let day of June, he proclaimed the organization of this Territory, recognized its officers, and required obedience to its laws.

On the 11th day of June, 1849, the Governor issued his second proclamation, dividing the Territory into three Judicial Districts, as follows:

79

The county of St. Croix constituted the first District, the seat of justice at Stillwater; the first court to be held oh the second Monday in August, 1849.

The seat of justice for the second District was at the Falls of St. Anthony; the first court to be held on the third Monday in August.

The seat of justice for the third District was at Mendota; the first court to be held on the fourth Monday in August.

The Chief Justice was assigned to hold the courts in the first District. Which duty he performed in accordance with the Governor's proclamation. This was the first court held in this Territory; it remained in session six days; sixty cases upon the Docket. The Clerk of the Court of this District was Harvey Wilson . The following is a list of the members of the bar, who were in attendance at the court:

C. K. Smith,

M. S. Wilkinson,

W. D. Phillips,

P. P. Bishop,

John S. Goodrich,

Library of Congress

John A. Wakefield,

H. L. Moss,

A. M. Mitchell,

Edmund Rice,

James Hughes,

L. A. Babcock.

Judge Meeker was assigned to hold the courts in the second District, which duty he performed—there was no cause pending in this court.

Judge Cooper was assigned to hold the courts in the third District, which duty was performed by him. No cause pending in this court.

There were at that period fifteen lawyers in the Territory.

Up to this time we have had two trials for murder; the accused was in one case acquitted by the jury, and in the other, found guilty of manslaughter, and imprisoned in Fort Snelling for the period of one year.

The first term of the Supreme Court in this Territory was held at the American House, in the town of St. Paul, on 80 Monday, the 14th day of January, 1850. Judges Goodrich and Cooper being present.

There is at this time, but one Court House in the Territory; this is at Stillwater.

Having been specially assigned by Gov. Ramsey , for that purpose, the Undersigned repaired to Sauk Rapids, in the comity of Benton, (this place is situated on the left bank

Library of Congress

of the Mississippi, 76 miles above the Falls of St. Anthony,) and on the 11th day of June, 1850, opened and held the first court at that place. There was no business of importance disposed of at this term.

The county of Ramsey now constitutes the first Judicial District. St. Paul is the seat of justice; it is also the capital of the Territory. The Clerk of the Court, Mr. Humphrey , informs me that there are now one hundred cases upon the Docket. The Chief Justice was assigned by an act of the first Territorial Legislature to hold the courts in this District.

Stated Terms of court, second Mondays of April and September.

There are now thirty lawyers in Minnesota.

I am sir, respectfully yours.

AARON GOODRICH.

St. Paul , March 4, 1851.